

Council, DSH Steering Committee, and other membership groups.

For 90 years the hospitals and caregivers of Sinai Health System have provided medical care and social services to Chicago's neediest communities in west and south Chicago. Sinai Community Institute provides social service outreach for the lifestyle issues that contribute to health while the Sinai Urban Health institute researches the prevalence of chronic disease in Chicago neighborhoods. Collectively, the Sinai Health System provides a full continuum of care for acute, primary, specialty and rehabilitation to meet the needs of the communities and patients it serves.

CUBAN INDEPENDENCE DAY

HON. KENDRICK B. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2009

Mr. MEEK of Florida. Madam Speaker, I would like to recognize that today, May 20, 2009, is Cuban Independence Day. On this day, many people in my home community of South Florida will mark the rich cultural heritage and deep-rooted traditions of Cuban Independence Day. What was once a day of festivity and joy has become a day of nostalgia for a Cuba that once was free, but also of hope that it will soon regain its freedom.

As we continue to see political prisoners jailed in Cuba for peacefully expressing their rights and freedoms, we must remember that May 20, 1902, stood as a day of freedom and liberty after years of struggle and hardship.

Political prisoners today such as Dr. Oscar Elias Biscet and dissidents like Jorge Luis Garcia Perez "Antunez" hold strong unto their forefathers' passion for liberty and desire to live in a free and transparent democracy. While Dr. Biscet currently serves a 25-year prison sentence in Cuba, even from behind bars, he continues to promote democracy, social justice and liberty for all Cuban people.

Close friends, neighbors and many others who I grew up with are Cuban-Americans who have come to this country with little else beyond the clothes on their back and are now living the American Dream. I stand alongside these patriotic individuals as they mark May 20th in our State. They are men and women who love their adopted homeland, but long for their native land to allow them the freedoms they enjoy here. I offer them my solidarity on this special day.

WALL STREET JOURNAL OP-ED PIECE ON TORTURE

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2009

Mr. YOUNG of Alaska. Madam Speaker, I rise today to introduce the following Op-Ed piece from the May 16, 2009 edition of the Wall Street Journal. I believe this piece speaks to the reactive nature of Congress, and will help shed some light on this issue to those both inside and outside the Beltway.

[From the Wall Street Journal, May 16, 2009]
CRITICS STILL HAVEN'T READ THE "TORTURE"
MEMOS

(By Victoria Toensing)

Sen. Patrick Leahy wants an independent commission to investigate them. Rep. John Conyers wants the Obama Justice Department to prosecute them. Liberal lawyers want to disbar them, and the media maligns them.

What did the Justice Department attorneys at George W. Bush's Office of Legal Counsel (OLC)—John Yoo and Jay Bybee—do to garner such scorn? They analyzed a 1994 criminal statute prohibiting torture when the CIA asked for legal guidance on interrogation techniques for a high-level al Qaeda detainee (Abu Zubaydah).

In the mid-1980s, when I supervised the legality of apprehending terrorists to stand trial, I relied on a decades-old Supreme Court standard: Our capture and treatment could not "shock the conscience" of the court. The OLC lawyers, however, were not asked what treatment was legal to preserve a prosecution. They were asked what treatment was legal for a detainee who they were told had knowledge of future attacks on Americans.

The 1994 law was passed pursuant to an international treaty, the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment. The law's definition of torture is circular. Torture under that law means "severe physical or mental pain or suffering," which in turn means "prolonged mental harm," which must be caused by one of four prohibited acts. The only relevant one to the CIA inquiry was threatening or inflicting "severe physical pain or suffering." What is "prolonged mental suffering"? The term appears nowhere else in the U.S. Code.

Congress required, in order for there to be a violation of the law, that an interrogator specifically intend that the detainee suffer prolonged physical or mental suffering as a result of the prohibited conduct. Just knowing a person could be injured from the interrogation method is not a violation under Supreme Court rulings interpreting "specific intent" in other criminal statutes.

In the summer of 2002, the CIA outlined 10 interrogation methods that would be used only on Abu Zubaydah, who it told the lawyers was "one of the highest ranking members of" al Qaeda, serving as "Usama Bin Laden's senior lieutenant." According to the CIA, Zubaydah had "been involved in every major" al Qaeda terrorist operation including 9/11, and was "planning future terrorist attacks" against U.S. interests.

Most importantly, the lawyers were told that Zubaydah—who was well-versed in American interrogation techniques, having written al Qaeda's manual on the subject—"displays no signs of willingness" to provide information and "has come to expect that no physical harm will be done to him." When the usual interrogation methods were used, he had maintained his "unabated desire to kill Americans and Jews."

The CIA and Department of Justice lawyers had two options: continue questioning Zubaydah by a process that had not worked or escalate the interrogation techniques in compliance with U.S. law. They chose the latter.

The Justice Department lawyers wrote two opinions totaling 54 pages. One went to White House Counsel Alberto Gonzales, the other to the CIA general counsel.

Both memos noted that the legislative history of the 1994 torture statute was "scant." Neither house of Congress had hearings, debates or amendments, or provided clarification about terms such as "severe" or "pro-

longed mental harm." There is no record of Rep. Jerrold Nadler—who now calls for impeachment and a criminal investigation of the lawyers—trying to make any act (e.g., waterboarding) illegal, or attempting to lessen the specific intent standard.

The Gonzales memo analyzed "torture" under American and international law. It noted that our courts, under a civil statute, have interpreted "severe" physical or mental pain or suffering to require extreme acts: The person had to be shot, beaten or raped, threatened with death or removal of extremities, or denied medical care. One federal court distinguished between torture and acts that were "cruel, inhuman, or degrading treatment." So have international courts. The European Court of Human Rights in the case of Ireland v. United Kingdom (1978) specifically found that wall standing (to produce muscle fatigue), hooding, and sleep and food deprivation were not torture.

The U.N. treaty defined torture as "severe pain and suffering." The Justice Department witness for the Senate treaty hearings testified that "[t]orture is understood to be barbaric cruelty . . . the mere mention of which sends chills down one's spine." He gave examples of "the needle under the fingernail, the application of electrical shock to the genital area, the piercing of eyeballs. . . ." Mental torture was an act "designed to damage and destroy the human personality."

The treaty had a specific provision stating that nothing, not even war, justifies torture. Congress removed that provision when drafting the 1994 law against torture, thereby permitting someone accused of violating the statute to invoke the long-established defense of necessity.

The memo to the CIA discussed 10 requested interrogation techniques and how each should be limited so as not to violate the statute. The lawyers warned that no procedure could be used that "interferes with the proper healing of Zubaydah's wound," which he incurred during capture. They observed that all the techniques, including waterboarding, were used on our military trainees, and that the CIA had conducted an "extensive inquiry" with experts and psychologists.

But now, safe in ivory towers eight years removed from 9/11, critics demand criminalization of the techniques and the prosecution or disbarment of the lawyers who advised the CIA. Contrary to columnist Frank Rich's uninformed accusation in the New York Times that the lawyers "proposed using" the techniques, they did no such thing. They were asked to provide legal guidance on whether the CIA's proposed methods violated the law.

Then there is Washington Post columnist Eugene Robinson, who declared that "waterboarding will almost certainly be deemed illegal if put under judicial scrutiny," depending on which "of several possibly applicable legal standards" apply. Does he know the Senate rejected a bill in 2006 to make waterboarding illegal? That fact alone negates criminalization of the act. So quick to condemn, Mr. Robinson later replied to a TV interview question that he did not know how long sleep deprivation could go before it was "immoral." It is "a nuance," he said.

Yet the CIA asked those OLC lawyers to figure out exactly where that nuance stopped in the context of preventing another attack. There should be a rule that all persons proposing investigation, prosecution or disbarment must read the two memos and all underlying documents and then draft a dis-senting analysis.

IN MEMORY OF EDWARD "SCOTT"
HOOD

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2009

Mr. BRADY of Pennsylvania. Madam Speaker, this week, we in the House lost one of our own. It is with great sadness and a heavy heart that I rise today to honor the memory of Edward "Scott" Hood and his years of exemplary service to the Members and staff of the House of Representatives.

Scott Hood lived in Point of Rocks, Maryland with his wife, Karen, and sons, Zachary and Luke. He served the House of Representatives with distinction and excellence for almost twenty-three years, beginning his Congressional career in the House Cabinet Shop. Scott worked in that shop for eleven years, where he learned and honed his skills in the woodworking trade. "Scotty" was a valued craftsman and a remarkable talent, with many of his pieces still in use throughout the Capitol complex. The highlight of Scott's portfolio was a sideboard which he made for then Speaker of the House, the Honorable Newt Gingrich, in August of 1996. It can still be viewed in room H-230 of the Capitol.

When the position of Office Coordinator was created in the Office of the Chief Administrative Officer (CAO) in 2002, Scott saw this as an opportunity to enhance his career path by applying his knowledge of cabinetry to advise his customers on furniture choices and selections. He continued to build and cultivate relationships with offices over the next few years, ultimately working his way up to Supervisor of the CAO Capitol Service Center in 2004. In addition to his supervisory duties, he was assigned to the responsibility of coordinating and responding to the furniture and equipment needs of the Leadership offices, as well as representing the CAO organization in the logistical coordination of high-profile events in the Capitol Building. In 2007, he was awarded the Darrell Norman Excellence Award—the highest recognition of service bestowed on an employee of the Chief Administrative Officer. The summation of his recognition then is a fitting testament to his entire career with the House. "Scott Hood inspires and motivates his staff to deliver quality services and solutions to the furniture and equipment problems of the offices located in the Capitol. Scott has also been a keen contributor to our efforts to enhance customer satisfaction and to work across the organization and with a variety of service partners to deliver solutions that exceed the expectations and needs of their customers. He has been particularly effective in bringing his change management and leadership skills to bear in developing an effective partnership with the Architect of the Capitol to deliver seamless solutions to House Leadership Offices."

Scott was able to use his inherent honesty and integrity to build trusting relationships and to be a valued advisor to both his offices and staff at all levels. Scott not only embraced and lived the CAO mission, vision, values, and brand, but inspired and motivated his staff and other organizations to do the same. Admired by the people who knew him and appreciated

by those he served, Scott was an exceptional role model. His colleagues tell us that they will miss his shy smile and the "will do" spirit and positive attitude that he brought to work each day. When asked to describe him, the most common phrase mentioned was, "He was 'The Rock' that we relied on."

Besides his loving wife and sons, Scott is survived by his parents, Darlene G. and Edward Hood, of Germantown, MD. He was the son-in law of Edith Jenkins, the loving grandson of Otis and Margaret Smith, and the brother of Kevin Hood and his wife Zaida, all of Germantown, MD.

It is a privilege to pay respects to a man who lived the spirit of unconditional and unwavering service to this great institution. On behalf of the entire House community, we extend our condolences to Scott's family, friends and colleagues in mourning the loss of this truly special public servant. I am honored to stand before the House and to commend him for his service to the Congress and our Nation.

**HONORING FAMILIES OF FALLEN
SOLDIERS**

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2009

Ms. GINNY BROWN-WAITE of Florida. Madam Speaker, I rise today to honor all the families who have lost a loved one in defense of our great Nation and in particular, those gathered at Calvary Baptist Church in Lakeland, Florida. For over 225 years, the United States has been a beacon of hope and freedom throughout the world. That freedom comes at a price, however. Whether it is the original fight for independence during the American Revolution, the drive to defeat communism during the cold war, or the current battle in the Middle East, soldiers throughout our history have fought and given their lives to keep us safe here at home. I salute their sacrifice, the sacrifice of their families, and dedication to their fellow man.

Our Nation has often had to defend itself from enemies, both foreign and domestic. Throughout these struggles, it has been our shared faith in our Lord that has given us the strength to soldier on during tough and trying times. America has seen both the good and the bad throughout our Nation's history, but in the end I firmly believe that each of us will heed the call to show our commitment to God when forced to make decisions that affect our fellow man.

To those who will gather at Calvary Baptist Church to honor our "True American Heroes," know this Congress thanks you and honors you. As Ronnie and Aileen Payne wrote to me, "Our sons and daughters were more than just a name and a casualty number. They were the best that America had to offer. They ran in when others ran out. They answered when America called."

America is the greatest Nation in the world. We have a proud history of service, faith and community ties that bind us to the common belief in the goodness of mankind. Our collec-

tive faith in God surpasses the fear and uncertainty we may feel from time to time. By working and praying together we can ensure that future generations of Americans will share the morals and values that brought us here today. Thank you and God bless the United States of America.

**"HOPE BLOOMS" FOUNDERS
WAYNE AND SHANNON MARKLOWITZ
OF CLEAR LAKE, MN**

HON. MICHELE BACHMANN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 2009

Mr. BACHMANN. Madam Speaker, I rise today to honor two truly amazing individuals, Wayne and Shannon Marklowitz of Clear Lake, as they begin to create a foster care community, "Hope Blooms", in Becker, Minnesota. Wayne and Shannon are working hard to provide a safe, welcoming environment for some of the 650 Minnesota children between the ages of 0 and 18 who are waiting to be placed with a foster home. And, they also hope to provide a close support network for the families that want to provide the love and care these children so desperately need.

It is not often we see such dedication toward such a selfless goal, particularly amidst these troubling times when people honestly turn their focus inward. Wayne works as a fire fighter and Shannon is studying to become a counselor, so there are plenty of very legitimate excuses to hold off on this endeavor. But the inspiration of a similar program in Texas, the prayers of their family, the support of their community and their unconditional faith have moved this project closer to fruition with each day. In fact, Wayne and Shannon received their not-for-profit status from the federal government in just one month, even though they had been told the process takes a year. Even government appears to have been inspired by their dreams.

After fostering 23 children with my family, I know the personal joy a foster child can bring to a home. I am so grateful to for that gift that I received as a foster parent, and I am equally grateful to the Marklowitz' for helping other families experience that same joy. Shannon and Wayne are taking on this endeavor as a leap of faith, as they acknowledge, answering the call from Christ's apostle James, who asked true believers "to look after the orphans and widows in distress."

I rise to honor this amazing young couple for their faith and work to meet such important goals. The month of May has been designated as "National Foster Care Month" and I encourage all Americans to look into foster care options and to support the families that have foster children. The future of our country rests firmly on the shoulders of our children and the hundreds of thousands of children in foster care are an important part in carrying on the principles of freedom and community on which America was founded. I look forward to seeing the success and joy Hope Blooms brings to foster families and children in and around Becker. May God continue to bless the homes that have opened their doors to the children in need.